IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL WRIT PETITION NO.2070 OF 2006

Balbir Dilip Singh ...Petitioner

Vs.

The National Rayon Cropn. Ltd. & Ors. ...Respondents

Shri E.R.Naik for the Petitioner.

Shri A.S.Shitole, A.P.P. for the State.

CORAM : A. S. OKA, J.
DATE : SEPTEMBER 26, 2006.

P.C.:

1. Heard the learned Advocate appearing for the Petitioner. The second Respondent was accused No.2 in a private complaint filed by the Petitioner alleging commission of offence under sections 441, 442, 445 read with section 34 of the Indian Penal Code. Process was issued in the said private complaint against the Respondent Nos.2 to 4. A revision Application being Criminal Revision Application No.61 of 2005 was filed by the Respondent No.2 in the Sessions Court. The said Revision Application was filed alongwith two separate revision Applications filed by the Respondent Nos.3 and 4. The said revision Applications were allowed by the Judgment and Order dated 18th March, 2006. By the said order, the order issuing process as against the said Respondents was set aside.

2. The learned Advocate for the Petitioner invited my attention to the averments made in the complaint. He pointed out that specific role has been ascribed to accused No.3 and 4 and infact accused Nos.3 and 4 are signatories to the seizure panchnama. However, I find after perusal of the complaint that there are no specific assertions connecting the Respondent No.2 Shri P.S.Sharma with the commission of alleged offence. In the circumstances, there is no error in the view taken by the learned Additional Sessions Judge by which he has set aside the order issuing process as against the Respondent No.2. No case is made out for interference.

Petition is rejected.

JUDGE